

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

DEWAYNE KEITH LONG, JR., AND
HOLLY L. LONG,

Plaintiffs,

vs.

DEWAYNE KEITH LONG, SR., AND
DOES 1 THROUGH 100, Inclusive;

Defendants.

8:15CV243

FINAL PROGRESSION ORDER

This matter is before the court on Plaintiffs' Motion to Continue Deadlines for Meet and Confer or alternatively for an order for leave to file report without Meet and Confer, (Filing No. 6). In support of their motion, Plaintiffs' represent that Defendant Dewayne Keith Long, Sr. is currently incarcerated. Therefore Plaintiffs have limited opportunities to communicate with him. Plaintiffs also represent that Defendant has been "combative and unreasonable." Based upon these representations and in order to progress this case, Plaintiff's motion will be granted in part and denied in part.

IT IS ORDERED:

1. To the extent Plaintiffs seek a continuance, the motion, (Filing No. 6) is denied as moot. Plaintiffs' motion to be relieved of their obligation to meet and confer with Defendant Dewayne Keith Long, Sr. is granted and the court will provide a Final Progression Order as set forth below.

2. The case will progress as follows:

a. All depositions, whether or not they are intended to be used at trial, shall be completed by **December 30, 2015**. All interrogatories, requests for admission and requests for production or inspection, whether or not they

are intended to be used at trial, shall be served on or before **October 19, 2015**.

b. All motions to amend the pleadings shall be filed on or before **November 27, 2015**. The parties must comply with the provisions of NECivR 15.1 when moving to amend the pleadings.

c. Motions to compel discovery shall be filed on or before **January 8, 2016**. The parties must comply with the provisions of NECivR 7.1(i) before filing a motion to compel.

d. Dispositive Motions. All dispositive motions shall be filed on or before **January 29, 2016**. The parties must comply with the provisions of NECivR 7.1 and NECivR 56.1 when filing summary judgment motions.

e. Pretrial Conference.

i. Plaintiffs' counsel will have the primary responsibility for drafting the Order on Final Pretrial Conference, pursuant to the format and requirements set out in NECivR 16.2(a)(2). The defendant will be responsible for cooperating in the preparation and signing of the final version of the Order. The Order should be submitted to the defendant and to any other parties by **March 30, 2016**. The defendant shall provide additions and/or proposed deletions to Plaintiffs' counsel by **April 13, 2016**. Plaintiffs' counsel shall submit the Proposed Order on Final Pretrial Conference to the court by no later than **April 27, 2016**. If a party proposes an addition or deletion which is not agreed to by all the other parties, that fact should be noted in the text of the document. The Proposed Order on Final Pretrial Conference must be signed by all pro se parties and by counsel for all represented parties.

ii. The Final Pretrial Conference will be held before the Magistrate Judge on **May 10, 2016 at 11:00 a.m.** Prior to the pretrial conference, all items as directed in NECivR 16.2 and full preparation shall have been completed so that trial may begin at any time following the Pretrial Conference.

iii. If Defendant is held in an institution, the pretrial conference will be by telephone. In that case, Plaintiffs' counsel shall contact

the plaintiff's institution in advance and arrange to initiate and place the conference call.

f. The trial date will be set by the Magistrate Judge at the time of the Final Pretrial Conference.

g. The clerk of the court is directed to set a pro se case management deadline in this case using the following text: Pretrial conference before Magistrate Judge Cheryl Zwart to be held on **May 10, 2016 at 11:00 a.m.**

Dated this 18th day of September, 2015

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge